

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: NORTHRUP *et al.*

Group Art Unit: 1631

Application No.: 08/482,933

Examiner: Marjorie A. Moran

Filed: June 7, 1995

Projected Patent No.: 7,297,313

Projected Issue Date: November 20, 2007

For: MICROFABRICATED REACTOR, PROCESS FOR MANUFACTURING THE
REACTOR, AND METHOD OF AMPLIFICATION

U.S. Patent and Trademark Office
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401 Dulany Street
Alexandria, VA 22314

PETITION UNDER 37 C.F.R. § 1.10

As provided by 37 C.F.R. § 1.10(c), Applicants respectfully petition the Director to correct the filing date of the present application so that it corresponds to the “date-in” on the “Express Mail” mailing label. The application was mailed by the “Express Mail Post Office to Addressee” service of the USPS on June 6, 1995 (receipt number #TB888886812US) and subsequently received by the USPTO on June 7, 1995. The application was assigned a file date of June 7, 1995 by the USPTO. Applicants respectfully request a corrected file date of June 6, 1995.

A Request to Correct the Filing Receipt was promptly filed on July 10, 1996. Applicants’ request was denied by the USPTO in a paper mailed October 18, 2007. Accordingly, Applicants respectfully assert that this petition has been filed promptly after Applicants learned that the USPTO would not correct the filing date of the application by way of a Request to Correct the Filing Receipt.

Applicants respectfully assert that the receipt number of the “Express Mail” mailing label was provided on the transmittal paper submitted with the patent application (Request for Filing Divisional Application) and with a Declaration of Mailing by Express Mail.

Applicants include herewith a true copy of the “Express Mail” mailing label showing the “date in.” Although not required by 37 C.F.R. § 1.10(c), Applicants also include herewith a copy

of the Declaration of Mailing by "Express Mail", post card, and Request for Filing Divisional Application, all of which were filed with the present application and clearly provide "Express Mail" number TB888886812US.

Although Applicants do not believe that a fee is required for a petition under 37 C.F.R. § 1.10, the Commissioner is hereby authorized by this paper to charge any fees which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-1283. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Dated: November 8, 2007

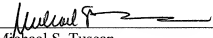
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COOLEY GODWARD KRONISH LLP
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Respectfully submitted,
COOLEY GODWARD KRONISH LLP

By:


Michael S. Tuscan
Reg. No. 43,210

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : M. Allen Northrup et al.
Serial No.: Not yet assigned
Filed :
Title : MICROFABRICATED REACTOR

Commissioner of Patents and Trademarks
Washington, DC 20231

DECLARATION OF MAILING BY "EXPRESS MAIL"

Wilfred E. Sayo declares as follows:

1. I reside at 375 MacArthur Ave., San Jose, CA
and am an employee of Fish & Richardson P.C., 2200 Sand Hill
Road, Suite 100 Menlo Park, CA 94025.

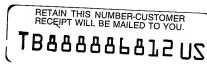
2. On June 6, 1995, I deposited in the mail,
"Express Mail Post Office to Addressee" service of the United
States Postal Service the contents of the envelope for which
"Express Mail" receipt No. TB8888886812US was issued addressed to:
Commissioner of Patents and Trademarks, Washington, DC 20231.

3. Attached hereto is a true copy of the "Express
Mail" receipt No. TB8888886812US.

I hereby declare that all statements made herein of
my own knowledge are true and that all statements made on
information and belief are believed to be true; and further that
these statements were made with the knowledge that willful false
statements and the like so made are punishable by fine or
imprisonment, or both, under Section 1001 of Title 18 of the
United States Code and that such willful false statements may
jeopardize the validity of the above-identified application or
any patents issued thereon.

Date: June 6, 1995

Wilfred E. Sayo



PATENT
ATTORNEY DOCKET NO.: MM8/MS102

The Patent and Trademark Office date stamp sets forth the receipt date (or both the receipt date and the Serial Number) of a patent application identified as follows:

Applicant: V. Allen NICHOLSON & M.

Title: IMPROVED METHOD & MEANS

☒ Transmittal Letter

☒ Appn. 12 Pages of Spec. 12 Pages of Claims 1 Total Claims 1 Pages of Abstract

☐ Rule 62 Filing Request (FWC) Pages

☐ Assignment

☐ Deposit Account Order Form (2 copies)

☒ Check \$ 400.00

☐ Small Entity Statement

☒ Drawings 4 Sheets Formal 8 Sheets Informal

☒ Combined Declaration and Power of Attorney ☒ signed

☒ Preliminary Amendment 3 Pages

☒ Information Disclosure Statement

☐ PTO 1449 Form Pages

☐ Prior Art References - Number of References

☐ Priority Document Pages

☐ English Translation

☒ Other 609/1449 Mail # 18446666-6812-46

Attorney/Client/

Initials WNY Matter Name WNY

Date 6/6/95



83/482933

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : M. Allen Northrup et al.
Serial No.: Not yet assigned
Filed :
Title : MICROFABRICATED REACTOR

Box PATENT APPLICATION

Commissioner of Patents and Trademarks
Washington, DC 20231

REQUEST FOR FILING DIVISIONAL APPLICATION

This is a request for filing a divisional application under 37 CFR 1.60, of pending prior application Serial No. 07/938,106 filed on August 31, 1992 by M. Allen Northrup and Richard M. White for MICROFABRICATED REACTOR.

1. Enclosed is a true copy of the above identified prior application, including the declaration as originally filed to complete the prior application, including any amendments referred to therein, none of which introduced new matter. The true copy of the prior application is as follows: 28 pages of specification; 12 pages of claims; 1 page of abstract; 8 sheets of drawings; and 3 pages of declaration and power of attorney.
2. Cancel in this application Claims 1-80 and 88-92 of the prior application before calculating the filing fee. At least one original independent claim has been retained for the purpose of filing this application. A preliminary amendment is enclosed.

"EXPRESS MAIL" Mailing Label Number *7806644012 US*

Date of Deposit *June 6, 1995*

I hereby certify under 37 CFR 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office To Addressee" with sufficient postage on the date indicated above and is addressed to the Commissioner, of Patents and Trademarks, Washington, D.C. 20231.

Wilfred E. Gano

Wilfred E. Gano

3. The filing fee, based on the original claims in the prior application less any claims cancelled herein, is calculated below:

CLAIMS AS FILED				
	Number Filed	Number Extra	Rate	Basic Fee
Total Claims	7 - 20 =	0 x	\$ 11 =	\$365
Independent Claims	1 - 3 =	0 x	\$ 38 =	0
Multiple Dependent Claims			\$120 =	0
Total Filing Fee =				\$365

4. A verified statement that this filing is by a small entity was filed in the prior application, and such status is still proper and desired.

5. Enclosed are 8 sheets of informal drawings for use in this application.

6. Please amend the specification by inserting before the first line the sentence: --This is a divisional of copending application Serial No. 07/938,106 filed August 31, 1992.--
18/cf

7. The prior application is assigned of record to The Regents of the University of California, a California corporation, by virtue of an assignment submitted to the Patent and Trademark Office for recording on October 13, 1992 at Reel 6295, Frames 103-105.

8. Enclosed is the filing fee of \$365.00.

9. Enclosed is a check in the amount of \$365.00.

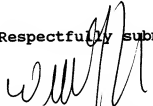
10. The Commissioner is hereby authorized to charge any fees which may be required by this paper, or credit any overpayment, to Deposit Account No. 06-1050. A duplicate of this request is enclosed.

11. The power of attorney in the prior application was to William J. Egan, III, Reg. No. 28,411. The power appears in the true copy of the prior application.

12. Address all future communications to William J. Egan, III at Fish & Richardson P.C., 2200 Sand Hill Road, Suite 100, Menlo Park, California 94025.

Respectfully submitted,

Date: 6/6/95



William J. Egan, III
Reg. No. 28,411

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Menlo Park, CA 94025

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24823.P11